



Order Filed on June 20, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. 9004-1(b)

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IN RE:

**MARC J. NAGTEGAAL AND
WILMA M. NAGTEGAAL**

Debtors

Case No.: 21-16948-JNP

Chapter 13

Judge: Jerrold N. Poslusny Jr.

Hearing date: 04/30/2024 at 11:00 AM

**CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2019 Kia Forte Sedan 4D LXS 2.0L I4**

The relief set forth on the following pages, number two (2) through three (3) is hereby **ORDERED**.

DATED: June 20, 2024

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Debtors Marc J. Nagtegaal and Wilma M. Nagtegaal
Case No.: 21-16948-JNP
Caption of Order: Consent Order Modifying Stay as to Motor Vehicle

1. The 11 USC §362(a) Automatic Stay as to Ally Capital ("Movant"), with respect to the personal property of the Debtors described as a 2019 Kia Forte Sedan 4D LXS 2.0L I4, V.I.N. 3KPF24AD1KE059095, in accordance with the agreement of the Debtors and Movant, is hereby modified and shall remain in effect.

PROVIDED THAT Debtors comply with the following terms and conditions:

- a. The Debtors will resume making regular monthly installment payment in the amount of \$438.74 as they become due Commencing on June 07, 2024.
 - b. The parties stipulate that unpaid amount due post-petition total is \$2,394.24 ("Arrearage"). Said amount shall be capitalized in the debtor's Chapter 13 Plan and set up on the Trustee's ledger as a separate Claim.
2. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.
 3. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions set forth in above Paragraph 1, *supra*. If Debtors fail to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtors, Counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. §362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.
 4. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition delinquent payments, fees, and charges due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth and failure and Movant shall be granted immediate relief from the automatic stay and under the provisions of Section 362 of the Bankruptcy Code (11 U.S.C. §362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating, and completing a sale of the motor vehicle. The failure of

Debtors Marc J. Nagtegaal and Wilma M. Nagtegaal

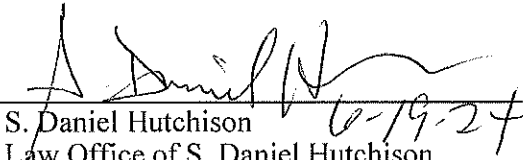
Case No.: 21-16948-JNP

Caption of Order: Consent Order Modifying Stay as to Motor Vehicle

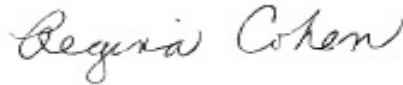
Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of

Movant under the Consent Order.

We hereby consent to the form and entry of the foregoing Order.



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